

REMARKS

The present amendment is responsive to the Office Action mailed in the above-referenced case on May 23, 2002. Claims 1-4, 7-9 and 13-16 are presented below in their last amended form for examination. Claims 1-4, 7-9 and 13-16 are rejected under 35 U.S.C. 102 (e) as being anticipated by Goodman (U.S. 5,844,596), hereinafter Goodman.

Applicant has carefully studied the prior art of Goodman, particularly the portions cited and applied by the Examiner, and the Examiner's rejections and statements. Applicant herein provides facts and arguments to more particularly point out the subject matter regarded as the invention, establishing that the claims distinguish unarguably over the prior art. Applicant points out and argues the key limitations in the base claims that the Examiner appears to have misunderstood in his rejections and statements. Applicant argues that not all of the limitations of applicant's claim 1 are anticipated in the prior art of Goodman.

Regarding claim 1, the Examiner states that Goodman discloses a networking system for a home or business site comprising all of the limitations of applicant's claim, including applicant's characterization in the claim, in that the bridge adapter unit drives the telephone wiring structure according to a Local Area Network (LAN) protocol, translates the public network protocol signals to the LAN protocol, and modulates the signals in a manner to correct signal variations at the end points due to having multiple end points driven from a single point at the bridge adapter unit.

Applicant respectfully traverses the Examiner's statement and argues that Goodman does not disclose a bridge adapter unit driving the telephone wiring structure according to a LAN protocol, nor does Goodman disclose

translating the public network protocol signals to the LAN protocol, or modulating the signals in a manner to correct signal variations at the end points due to having multiple end points driven from a single point at the bridge adapter unit.

Applicant believes the Examiner, based on the statements above pertaining to a bridge adapter unit driving the telephone wiring structure according to a LAN protocol, is assuming that Goodman is driving the existing telephone wiring with a standard network protocol. Applicant argues that this simply is not true. Applicant respectfully points out to the Examiner that a LAN protocol is a commercially available protocol such as Ethernet, for driving a local area network.

In embodiments of applicant's invention a LAN protocol, namely micro-PBX 301, is specifically used for driving the LAN, micro-PBX 301 being a converter and bus management system adapted to receive ATM data for all of the devices to which the micro-PBX is connected, and to route the data in a different protocol onto the internal bus. Micro-PBX operates the in-house wiring as a bus system under a multiple access points type protocol, such as Carrier Sense Multi Access/ Collision Detect (CSMA/CD) protocol. This is a protocol type well known in the art that was also the basis of original Ethernet systems. In this system type, the sending device first listens on the bus for line free before sending data, then checks for collision. The inventor has selected this type bus management precisely because it allows use of the existing tree-type wiring structure of phone lines of most homes and businesses. In applicant's invention a bridge adapter unit translates signals incoming to the system from the public network to a LAN protocol, and then translates the signals back to the protocol specifically required by each end point device. The bridge unit of

applicant's invention translates all of the incoming signals to the LAN protocol, including telephone signals.

Applicant now directs the Examiner's attention to the portion of Goodman cited and applied by the Examiner in support of the Examiner's above statement, specifically col. 9, lines 12-25, wherein results are described which are provided by various cooperating elements of the invention of Goodman. Item 2 recites that normal telephone communication on all networks and between the local networks and public network (trunk) is preserved, and all pre-existing computer communication capabilities are also preserved. Applicant points out to the Examiner that in applicant's invention telephone communication is not preserved, nor are pre-existing computer communication capabilities preserved because the bridge unit in applicant's invention translates all incoming signals to the LAN protocol.

Now directing the Examiner's attention to figure 10 of Goodman, applicant points out that general signal processing section 471, having a plurality of filters and a local processor, changes the frequency of the incoming video signal to a frequency considerably different from the telephone signal which would normally transmit on the telephone lines in the network. The invention of Goodman drives the video signals onto the telephone lines at the different frequency in order to differentiate and separate out the video signals from telephone signals in order for the end point devices to process the video signals. A transceiver is therefore required for every instance where such signal differentiating takes place (figure 1a, transceivers 419a-c) which picks up the video signal from the telephone wires and converted back to a television signal, driving TV/VCR 498a, for example.

In applicant's invention the converters (305a-b) are converting signals from the Ethernet LAN protocol to a form required by the single media or multimedia device. For example, for a printer end device, the printer requires a serial printer protocol in order to process the signals, and the converters of applicant's invention, each converter specific to the end device whether it be a printer, a computer or some other device, convert the signals from the LAN protocol to the protocol specifically required by the end device. Applicant's invention does not simply change the frequency at which the signals are transmitted, as is the case in the invention of Goodman. Given the portions of Goodman relied upon by the Examiner supporting the Examiner's above rejections and statements, Goodman nowhere teaches driving the existing telephone wiring in the network as a Local Area Network using a Local Area Network protocol.

Regarding claim 2, the Examiner's states that Goodman further discloses all of the limitations of the claim, further stating that Goodman teaches converters that convert signals from voice-band and transmits them through filters to local networks where they communicate with the telephone device. Applicant argues that, as argued above on behalf of claim 1, there is no conversion of signals from voice-band to any other different protocol in the art of Goodman. Goodman simply changes the frequency at which the signals are transmitted through telephone lines in the network.

In view of the above facts and arguments presented by applicant above, applicant believes claims 1 and 2 is have been clearly shown to be patentable over the prior art of Goodman. Claims 3 and 4 are then patentable on their own merits, or at least as depended from a patentable claim.

Claim 7 is applicant's method claim analogous to apparatus claim 1, shown above to be patentable over the art cited and applied. The arguments

presented above for patentability of claim 1 therefore apply as well to claim 7. Patentability of claim 7 over the art resides in steps (e), which recites modulating the signals in a manner to correct variations at the end points due to having multiple end points driven from the single point at the bridge adapter unit. The prior art of Goodman nowhere teaches this step. Claim 7 is therefore patentable over the art cited and applied, and claims 8, 9, 16 and 17 are patentable at least as depended from a patentable claim, or on their merits.

Claims 1, 2 and 7 are rejected under the judicially created doctrine of double patenting over claim 1 of U.S. patent No. 6,167,120. In response applicant herein files with the present amendment a terminal disclaimer, which overcomes the Examiner's objection to the claims.

As all of the claims standing for examination as amended have been shown to be patentable over the art of Goodman, applicant respectfully requests reconsideration and that the present case be passed quickly to issue.

If there are any time extensions due beyond any extension requested and paid with this amendment, such extensions are hereby requested. If there are any fees due beyond any fees paid with the present amendment, such fees are authorized to be deducted from deposit account 50-0534.

Marked-Up Version to Show Changes

No changes to the claims or specification are herein made in the present response.

Respectfully Submitted,

Dan Kikinis

by

A handwritten signature in black ink, appearing to read 'Donald R. Boys', written over a horizontal line.

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